

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)	
)	
)	
v.)	
)	1:04-cr-385 (LMB)
)	
ALI AL-TIMIMI,)	
)	
Defendant.)	

ORDER

Before the Court are pending motions by Ali Al-Timimi (“defendant”) for acquittal on Counts 1, 7, and 8 of the superseding indictment. On June 24, 2019, the Supreme Court held, in a 5–4 decision, that 18 U.S.C. § 924(c)’s residual clause is void for vagueness under the Due Process Clause. United States v. Davis, No. 18-431, slip op. at 2, 24 (U.S. June 24, 2019). In light of Davis’s holding, defendant asks the Court to order him acquitted of the charges against him in Counts 1, 7, and 8. Accordingly, it is hereby

ORDERED that the United States SHOW CAUSE within thirty (30) days of the date of entry of this Order why defendant’s motions for acquittal should not be granted; and it is further

ORDERED that defendant will have fourteen (14) days to file any reply to the United States’ response. The parties should address not only whether defendant is entitled to acquittal but also what the appropriate remedy would be in the event of such an acquittal.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this ²⁵25 day of June, 2019.

Alexandria, Virginia

/s/ LMB

Leonie M. Brinkema
United States District Judge